

STATUTORY FUNERALS AND PROTECTION OF PROPERTY DUTIES PERFORMED BY THE ROYAL BOROUGH OF KINGSTON UPON THAMES UNDER S46 PUBLIC HEALTH ACT 1984 and S48 NATIONAL ASSISTANCE ACT 1948

Current Month - April 2023

2017		
Month of Death	District of residence at time of death	Referral to Treasury Solicitor
November 2017	Kingston upon Thames	No
December 2017	Kingston upon Thames	No
2018		
Month of Death	District of residence at time of death	Referral to Treasury Solicitor
May 2018	Nursing Home - Kingston upon Thames	Yes
June 2018	Kingston upon Thames	No
July 2018	Kingston upon Thames	No
August 2018	Kingston upon Thames	No
September 2018	Kingston upon Thames	Yes
November 2018	Kingston upon Thames	No
November 2018	Kingston upon Thames	Yes
2019		
Month of Death	District of residence at time of death	Referral to Treasury Solicitor

January 2019	Kingston upon Thames	No
January 2019	Nursing Home - Kingston upon Thames	No
February 2019	Kingston upon Thames	No
April 2019	Kingston upon Thames	No
April 2019	Kingston upon Thames	No
May 2019	Kingston upon Thames	No
June 2019	Kingston upon Thames	No
June 2019	Kingston upon Thames	No
June 2019	Kingston upon Thames	No
June 2019	Kingston upon Thames	No
July 2019	Kingston upon Thames	No
August 2019	Kingston upon Thames	No
September 2019	Kingston upon Thames	No
September 2019	Kingston upon Thames	No
September 2019	Kingston upon Thames	No
October 2019	Kingston upon Thames	No
October 2019	Kingston upon Thames	No
November 2019	Kingston upon Thames	No

November 2019	Kingston upon Thames	No
November 2019	Kingston upon Thames	No
November 2019	Kingston upon Thames	No
December 2019	Kingston upon Thames	Yes
2020		
Month of Death	District of residence at time of death	Referral to Treasury Solicitor
February 2020	Kingston upon Thames	No
March 2020	Kingston upon Thames	No
March 2020	Kingston upon Thames	No
March 2020	Kingston upon Thames	No
April 2020	Kingston upon Thames	No
April 2020	Kingston upon Thames	No
June 2020	Kingston upon Thames	No
August 2020	Kingston upon Thames	No
August 2020	Kingston upon Thames	No
October 2020	Kingston upon Thames	No
November 2020	Kingston upon Thames	No
November 2020	Kingston upon Thames	No

December 2020	Kingston upon Thames	No
2021		
Month of Death	District of residence at time of death	Referral to Treasury Solicitor
January 2021	Kingston upon Thames	No
January 2021	Kingston upon Thames	No
April 2021	Kingston upon Thames	No
April 2021	Kingston upon Thames	No
June 2021	Kingston upon Thames	No
October 2021	Kingston upon Thames	No
October 2021	Kingston upon Thames	No
November 2021	Kingston upon Thames	No
November 2021	Kingston upon Thames	No
December 2021	Kingston upon Thames	No
2022		
Month of Death	District of residence at time of death	Referral to Treasury Solicitor
February 2022	Kingston upon Thames	No
April 2022	Kingston upon Thames	No
July 2022	Kingston upon Thames	No

October 2022	Kingston upon Thames	To Be Confirmed
October 2022	Kingston upon Thames	To Be Confirmed
October 2022	Kingston upon Thames	To Be Confirmed
December 2022	Kingston upon Thames	To Be Confirmed
December 2022	Kingston upon Thames	To Be Confirmed
2023		
Month of Death	District of residence at time of death	Referral to Treasury Solicitor
January 2023	Kingston upon Thames	To Be Confirmed
April 2023	Wandsworth	To Be Confirmed
April 2023	Merton	To Be Confirmed

Further detail cannot be provided e.g. the names and addresses of the deceased, date of death, estimated value of estate etc. Under sections 21 and 31 of the Freedom of Information Act exemptions apply where disclosure would be likely to prejudice a range of investigations and conduct.

Section 21 – Information Reasonably Accessible to the Applicant by Another Means.

Information that the council holds on estates passed, or estates to be passed, to the Treasury Solicitor, is considered to be held on behalf of the Treasury Solicitor’s Department. Some details of the estate of those persons who have died and which have been passed to the Treasury Solicitor can be accessed via the Treasury Solicitor’s website (www.tsol.gov.uk) or via the bona vacantia website (www.bonavacantia.gov.uk).

Section 31 – Law Enforcement.

Revealing details of the assets of an estate before the Treasury Solicitor has undertaken their own enquiries would provide an opportunity for criminal acts to be committed (for example, theft or fraud). Similarly, there would be concerns about making the last known address of the

deceased public, as the property is likely to be unoccupied and might still contain the deceased's personal papers and effects. There is also a continuing risk after the estate has been secured of, for example, identity theft.

Section 31 is a qualified exemption and as such the Local Authority is required to consider whether the public interest test is satisfied. The request seeks information which relates to existing and ongoing bona vacantia matters being dealt with by the Treasury Solicitor. The Local Authority considers that there may be a genuine public interest in being aware of a bona vacantia estate where the person is a relative, debtor or creditor of the deceased however this must be weighed against the possible distress to the deceased's family such disclosure could cause and the potential that such information could be used to either prevent the Treasury Solicitor from undertaking its statutory role or to perpetrate fraud or other criminal activities. In view of this the Local Authority has concluded that the public interest does not favour disclosure of the withheld information.

The Local Authority understands that this approach is consistent with that of the Treasury Solicitor in dealing with freedom of information requests concerning deceased individuals:

<http://www.bonavacantia.gov.uk/upload/Freedom%20of%20Information%20Requests%20Received%20by%20Public%20Authorities%20about%20Deceased%20Individuals.pdf>